



UNITED STATES PATENT AND TRADEMARK OFFICE

5e
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,782	07/31/2001	Peter F. King	UWP1P041/1155	4018
26528	7590	06/16/2005	EXAMINER	
BWT-OPW			BATURAY, ALICIA	
P.O. BOX 778				
BERKELEY, CA 94704-0778			ART UNIT	PAPER NUMBER

2155

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,782

Applicant(s)

KING, PETER F.

Examiner

Alicia Baturay

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8-10, 12-18, 20, 22-26 and 31-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-10, 12-18, 20, 22-26 and 31-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04022004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the amendment filed 22 March 2005.
2. Claims 1, 8-10, 12, 16, 17, 20, and 22 were amended.
3. Claims 6, 7, 11, 19, 21, and 27-30 were cancelled.
4. Claims 31-39 were added.
5. Claims 1-5, 8-10, 12-18, 20, 22-26, and 31-39 are pending in this Office Action.

Response to Amendment

6. The objection to the specification regarding minor informalities was addressed and is withdrawn.
7. The objection to the drawing was addressed and is withdrawn.
8. The rejection of claims 1-30 under 35 U.S.C. § 112, 2nd paragraph regarding omitting essential elements was addressed and is withdrawn.
9. The rejection of claims 6 and 7 under 35 U.S.C. § 112, 2nd paragraph regarding indefiniteness is moot due to cancellation of aforementioned claims.
10. Applicant's amendments and arguments with respect to claims 1-5, 8-10, 12-18, 20, 22-26 and new claims 31-39 filed on 22 March 2005 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12. Claims 1-5, 8, 16, 17, 22, and 31-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al. (U.S. 6,601,101).

13. With respect to claim 1, Lee discloses a communication system, the communication system comprising: an inter-device linking system (Lee, col. 3, lines 34-35); a first device which can be linked to the inter-device system, where the first device comprises: a first user agent which is capable of: receiving information, and determining whether to present the information on another device in the communication system (Lee, col. 4, lines 25-27), and a linking agent which is capable of: sending to the inter-device linking system a request for presentation of the information on another device in the network when the user agent determines to present the information on another device in the network (Lee, col. 7, lines 59-60); where the inter-device linking system is capable of operating to: determine whether a second device capable of presenting the information is linked to the inter-device linking system; and send a request for presentation of the information to the second device when the

determining determines that the second device is linked to the inter-device linking system (Lee, col. 5, lines 54-56).

14. With respect to claim 2, Lee discloses the invention substantially as described in claim 1, including a communication system, where the inter-device linking system further operates to: queue a request for presentation of the information when the determining determines that the second device which is capable of presenting the information is not linked to the inter-device linking system; and sending the queued request to the second device when the second device becomes linked to the inter-device linking system (Lee, col. 13, lines 17-42).

15. With respect to claim 3, Lee discloses the invention substantially as described in claim 1, including a communication system where the inter-device linking system comprises an inter-device linking server and two or more inter-device linking clients (Lee, col. 3, lines 34-35).

16. With respect to claim 4, Lee discloses the invention substantially as described in claim 3, including a communication system where at least one portion of the inter-device linking clients are implemented in a device operating in the communication system (Lee, col. 3, lines 34-35).

17. With respect to claim 5, Lee discloses the invention substantially as described in claim 3, including a communication system where at least one of the two or more inter-device linking

clients comprises a user agent (Lee, col. 4, lines 25-27) and a linking agent (Lee, col. 3, lines 34-35).

18. With respect to claim 8, Lee discloses the invention substantially as described in claim 1, including where the first linking agent operates to send the inter-device linking server at least one presence notification, the at least one presence notification notifying the inter-device linking server of the presence of the first device in the communication system (Lee, col. 3, lines 34-35).

19. With respect to claim 16, Lee discloses a method for presenting information on devices operating in a communication system, the method comprising: receiving by a first device in the communication system information: detecting, by the first device, whether to present the information on another device in the communication system (Lee, col. 4, lines 25-27); sending, by the first device, a request for presentation of the information when the detecting detects to present information on another device (Lee, col. 7, lines 59-60); determining whether to present the information on a second device operating in the communication system when the request is received; and forwarding a request for presentation of the information to the second device when the determining determines to present that information on the second device (Lee, col. 5, lines 54-56).

20. With respect to claim 17, Lee discloses the invention substantially as described in claim 16, including where the method further comprises: determining whether the second device is

currently linked to the communication system (Lee, col. 5, lines 54-56); queuing the request for presentation of information when the determining determines that the second device is not currently linked to the communication system; and forwarding the queued request to the second device when the determining determines that the second device is currently linked to the communication system (Lee, col. 13, lines 17-42).

21. With respect to claim 22, Lee discloses a communication system, the communication system comprising: a first device (Lee, col. 4, line 25); an inter-device linking server (Lee, col. 3, lines 34-35); a first inter-device linking client operating on first device, the first inter-device linking client operating to: receive information which includes at least one hypermedia link, detect whether to present that information associated with the at least one hypermedia link on another device in the communication system (Lee, col. 4, lines 25-27), and send a linking request to the inter-device linking server when the first inter-device linking client detects to present the information associated with the at least one hypermedia link on another device (Lee, col. 7, lines 59-60); where the inter-device linking server operates to: determine whether a second device in the communication system which is capable of presenting the information associated with the at least one hypermedia link is linked to the inter-device linking server when the linking request is received from the first inter-device linking client; forward a request for presentation of the information associated with the at least one hypermedia link to a second inter-device linking client associated with a second device when the inter-device linking server determines that the second device in the communication system is linked to the inter-device linking server (Lee, col. 5, lines 54-56); queue the request

when the inter-device linking server determines that the second device in the communication system is not linked to the inter-device linking server; and forward the queued request to the second inter-device linking client when the second device which is capable of presentation of the information becomes linked to the inter-device linking server (Lee, col. 13, lines 17-42).

22. With respect to claim 31, Lee discloses a device which is capable of being linked to a server in a network, where the device comprises: a user agent which is capable of: receiving information, and determining whether to present the information on another device in the network (Lee, col. 4, lines 25-27); and a linking agent which is capable of: sending to the server a request for presentation of the information on another device in the network when the user agent determines to present the information on another device in the network (Lee, col. 7, lines 59-60).

23. With respect to claim 32, Lee discloses the invention substantially as described in claim 31, including a device where the another device is not identified by the device, and the determining does not determine another device to present the information (Lee, col. 5, lines 54-56).

24. With respect to claim 33, Lee discloses the invention substantially as described in claim 31, including a device where the another device is identified by the device, and the determining further comprises: determining a second device in the network to present the information (Lee, col. 7, lines 59-60).

25. With respect to claim 34, Lee discloses the invention substantially as described in claim 31, including a device where the user agent is further capable of operating to: receive a request from a user of the device, where the request requests that the information be displayed on another device in the communication network (Lee, col. 7, lines 59-60).
26. With respect to claim 35, Lee discloses the invention substantially as described in claim 31, including a device where the user agent is further capable of operating to: automatically determine, based on content of the information, whether to request to display the information on the device (Lee, col. 4, lines 25-27).
27. With respect to claim 36, Lee discloses the invention substantially as described in claim 31, including a device where the user agent is further capable of operating to: automatically determine whether the information includes content which is not presentable or preferably not presentable on the device (Lee, col. 4, lines 25-27).
28. With respect to claim 37, Lee discloses a server which is capable of being linked to a plurality of devices in a network (Lee, col. 3, lines 34-35), where the server is further capable of: receiving a request from a first device in the network, where the request requests that information, which has been received by the first device, be presented on another device in the network (Lee, col. 7, lines 59-60); determining whether a second device which is capable of presenting the information is currently linked to the network; and sending a request to the

Art Unit: 2155

second device to present the information when the determining determines that the second device is currently linked to the network (Lee, col. 5, lines 54-56).

29. With respect to claim 38, Lee discloses the invention substantially as described in claim 37, including a server where the server is further capable of: determining whether the second device is capable of presenting information; and selecting the second device to present the information when the determining determines that the device is capable of presenting information (Lee, col. 5, lines 54-56).

30. With respect to claim 39, Lee discloses the invention substantially as described in claim 37, including a server where the device also operates to send the server a reference to the information (Lee, col. 6, lines 18-23).

Claim Rejections - 35 USC § 103

31. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2155

32. Claims 9, 10, 12-15, 18, 20, and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee and further in view of Kikinis (U.S. 2002/0049833).

33. With respect to claim 9, Lee discloses where the first linking agent operates to periodically sending the inter-device linking server a presence notification (Lee, col. 3, lines 34-35). But Lee does not expressly disclose the presence notification including a field that identifies client capabilities. However, Kikinis does teach where the presence notification comprises a field that identifies the capabilities of the first device (Kikinis, page 9, paragraph 108). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lee and Kikinis for the purpose of enhancing the functionality of network-connected devices (Kikinis, page 1, paragraph 12).

34. With respect to claim 10, the combination of Lee and Kikinis (Lee-Kikinis) discloses the invention substantially as described in claim 9, including where the system further comprises a database, and where the inter-device linking server operates to store the at least one presence notification in the database (Lee, col. 5, lines 61-63).

35. With respect to claim 12, Lee-Kikinis discloses the invention substantially as described in claim 10, including where a second linking agent is associated with the second device, and where the linking agent receives a forwarded request for presentation of information from the inter-device linking server (Lee, col. 7, lines 59-60).

36. With respect to claim 13, Lee-Kikinis discloses the invention substantially as described in claim 12, including a communication system where the second linking agent initiates launch of an application that is suitable for presentation of the information (Kikinis, page 8, paragraph 99).
37. With respect to claim 14, Lee-Kikinis discloses the invention substantially as described in claim 13, including a communication system where the second linking agent operates to retrieve a reference to information that is to be displayed and provides the reference to the application (Kikinis, page 8, paragraph 100).
38. With respect to claim 15, Lee-Kikinis discloses the invention substantially as described in claim 14, including a communication system where the information is multimedia information associated with a hypertext link (Kikinis, page 6, paragraph 83).
39. With respect to claim 18, Lee-Kikinis discloses a method as recited in claim 16, where the method further comprises: periodically sending presence notifications, the presence notifications being associated with devices operating in the communication system (Lee, col. 3, lines 34-35), and where the presence notifications describe the capabilities of their associated devices with respect to presentation of information on the associated devices (Kikinis, page 9, paragraph 108).

40. With respect to claim 20, Lee-Kikinis discloses the invention substantially as described in claim 18, including further comprising: searching a database in order to determine whether a presence notification associated with the second device has been received (Lee, col. 5, lines 61-63); and where the presence notification is sent by a software module associated with the second device (Lee, col. 5, lines 54-56).

41. With respect to claim 23, Lee-Kikinis discloses the invention substantially as described in claim 22, including a communication system where the communication system further comprises a database (Lee, col. 5, lines 61-63); where the first and second inter-device linking clients periodically send presence notifications to the inter-device linking server to notify the inter-device linking server of the presence of the first and second devices in the communication system (Lee, col. 3, lines 34-35); the presence notifications respectively describing the capabilities of the first and second devices to present information (Kikinis, page 9, paragraph 108); and where the inter-device linking server operates to time stamp and store the presence notifications in a presence table in the database (Lee, col. 14, line 66 – col. 15, line 4).

42. With respect to claim 24, Lee-Kikinis discloses the invention substantially as described in claim 23, including a communication system where the inter-device linking server performs a search on the presence table in order to determine whether a second device in the communication system which is capable of displaying the information is linked to the inter-device linking server (Lee, col. 5, lines 61-63), and where the inter-device linking server

stores the request in a request table in the database when the searching of the presence table determines that a second device capable of displaying the information is not linked to the inter-device linking server (Lee, col. 13, lines 17-42).

43. With respect to claim 25, Lee-Kikinis discloses the invention substantially as described in claim 23, including a communication system where a request table is created for each inter-device linking client that sends a request to the inter-device linking server (Lee, col. 13, lines 17-42).

44. With respect to claim 26, Lee-Kikinis discloses the invention substantially as described in claim 24, including a communication system where the inter-device linking server operates to maintain the presence (Lee, col. 3, lines 34-35) and request tables (Lee, col. 13, lines 17-42).

Response to Arguments

45. Applicant's arguments with respect to claims 5-15, 18 and 22-26 have been considered but are moot in view of the new ground(s) of rejection.

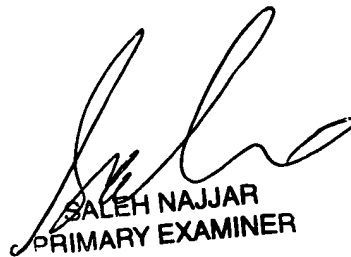
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
June 11, 2005


SALEH NAJJAR
PRIMARY EXAMINER